

EXHIBIT 2

From: Steindler, Tom <tsteindler@mwe.com>
Sent: Friday, September 6, 2019 12:57 PM
To: Laura Miller; NPC-PLEX
Cc: SERVICE-BRAF
Subject: RE: Plexxikon v. NPC - Case No. 4:17-cv-04405-HSG (EDL)

Laura: It turns out I was mistaken; the updated production of sales figures we made in March only included data through the end of 2018.

THOMAS P. STEINDLER
Partner

McDermott Will & Emery LLP The McDermott Building, 500 North Capitol Street, NW, Washington, DC 20001-1531
Tel +1 202 756 8254 **Mobile** +1 202 251 0478 **Email** tsteindler@mwe.com
Biography | **Website** | **vCard** | **Twitter** | **LinkedIn**

From: Laura Miller <LMiller@durietangri.com>
Sent: Thursday, September 5, 2019 1:45 PM
To: NPC-PLEX <NPC-PLEX@mwe.com>
Cc: SERVICE-BRAF <SERVICE-BRAF@durietangri.com>
Subject: RE: Plexxikon v. NPC - Case No. 4:17-cv-04405-HSG (EDL)

[External Email]

Tom,

Having reviewed the transcript from the CMC last Thursday, we note your statement to the Court that Novartis “provided, earlier this year, damages -- sales figures for 2019 up until that point in time,” and your related statement that Dr. Leonard “had 2019 data.” We are not aware of any such production. Please provide the Bates label information for the documents to which you referred.

Best,
Laura

From: Laura Miller
Sent: Thursday, August 29, 2019 11:55 AM
To: 'NPC-PLEX' <NPC-PLEX@mwe.com>
Cc: SERVICE-BRAF <SERVICE-BRAF@durietangri.com>
Subject: RE: Plexxikon v. NPC - Case No. 4:17-cv-04405-HSG (EDL)

Counsel,

We have received no response to my email below. Please immediately supplement Novartis’s document production to include sales data through the present, as required by FRCP 26(e).

Best,
Laura

From: Laura Miller
Sent: Saturday, August 24, 2019 9:47 AM
To: NPC-PLEX <NPC-PLEX@mwe.com>
Cc: SERVICE-BRAF <SERVICE-BRAF@durietangri.com>
Subject: Plexxikon v. NPC - Case No. 4:17-cv-04405-HSG (EDL)

Counsel,

Pursuant to the obligations imposed by Federal Rule of Civil Procedure 26(e), please immediately supplement Novartis's document production responsive to Request Nos. 34 & 35 regarding sales data for Tafenlar, including sales data for 2019 to date. *See, e.g., Finjan, Inc. v. Bitdefender Inc.*, Case No. , 2019 WL 3564443, *2 (N.D. Cal. Aug. 6, 2019) ("Case law confirms that the fact discovery cutoff does not terminate the obligation to supplement."); *see also* Fed. R. Civ. P. 26(e), Advisory Committee Notes to the 1993 Amendments ("Supplementations need not be made as each new item of information is learned but should be made at appropriate intervals during the discovery period, **and with special promptness as the trial date approaches.**") (emphasis added); Cal. Prac. Guide Fed. Civ. Pro. Before Trial § 11:1241.

Best,

Laura Miller | Attorney | **Durie** Tangri LLP | 415-362-6666 | lmiller@durietangri.com

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